

CHAPTER. VI.

PROCEDURE OF THE CORPORATION AND COMMITTEES

78. Proceedings of the corporation and standing committees.—(1) The first meeting of the corporation after the general election shall be held as early as possible after the publication of the results of such election and shall be convened by the commissioner. It shall be presided over by the Divisional Commissioner of the revenue division having jurisdiction.

(2) The meetings of the corporation, the standing committees and other committees shall be held in the office of the corporation and the business before them shall be disposed of in accordance with the procedure laid down in Schedule I.

(2) The corporation may require any of the officers to attend any meeting of the corporation at which any matter dealt with by such officer in the course of his duties is being discussed; when any officer is thus required to attend any such meeting he may be called upon to make a statement of facts or supply such information in his possession relating to any matter dealt with by him as the corporation may require.

79. Interpellations.—A councillor may, subject to the rules laid down in Schedule I ask questions on any matter relating to the administration of this Act or the municipal government of the corporation.

80. Obligation laid on remaining municipal authorities to carry out resolutions of the corporation.—The committees constituted under this Act and the commissioner shall be bound to give effect to every resolution of the corporation unless such resolution is cancelled in whole or in part by the Government;

Provided that, if, in the opinion of the commissioner any resolution of the corporation or a committee constituted under this Act contravenes any provision of this Act or any other law or of any rule, notification, regulation or bye law made or issued under this Act or any other law, or of any order passed by the Government he shall, within fifteen days of the passing of the resolution, refer the matter to the Government for orders and inform the corporation or the committee, as the case may be, of the action taken by him at its next meeting and until the orders of the Government on such reference are received, the commissioner shall not be bound to give effect to the resolution.

81. Corporation may call for extracts from proceedings, etc., from the standing committee, etc.—The corporation may at any time call for any extract from any proceedings of the committee or **ad-hoc** committee constituted under this Act, and for any return, statement, account of report concerning or connected with any matter with which any such committee or **ad-hoc** committee is empowered by or under this Act to deal; and every such requisition shall be complied with by the committee or **ad-hoc** committee, as the case may be, without unreasonable delay.

82. The corporation or a standing committee may require commissioner to produce documents and furnish returns, reports, etc.—(1) Save as otherwise provided in sub-section (3), the corporation or a standing committee may at any time require the commissioner,—

(a) to produce any record, correspondence, plan or other document which is in his possession or under his control as commissioner, or which is recorded or filed in his office or in the office of any corporation officer or servant subordinate to him ;

(b) to furnish any return, plan, estimate, statement account, or statistics concerning or connected with any matter appertaining to the administration of this Act ;

(c) to furnish a report by himself or to obtain from any officer subordinate to him and furnish, with his own remarks thereon, a report, upon any subject concerning or connected with the administration of this Act;

(2) Except as is hereinafter provided, every such requisition shall be complied with by the commissioner without unreasonable delay; and it shall be incumbent on every corporation officer and servant to obey any order made by the commissioner in pursuance of any such requisition:

Provided that if, on such requisition as aforesaid being made, the commissioner shall declare that immediate compliance therewith would be prejudicial to the interests of the corporation or of the public, and shall if required by the corporation or the standing committee, as the case may be, refer the question to the mayor whose decision shall be final.

(3) Notwithstanding anything contained in this Act the commissioner shall not produce or be called upon to produce by the corporation, a standing committee or any other committee, mayor or deputy mayor, any record, correspondence or other document which is in his possession or his control and which is the subject matter of correspondence with the Government except in cases where the commissioner considers that the production of any record, correspondence or other document is necessary in the interests of the corporation.

83. Joint transaction with other local authorities.—

(1) The corporation may and if so required by Government shall, join with a local authority or with a combination of local authorities,—

(a) in appointing a joint committee out of their respective bodies for any purposes in which they are jointly interested, and in appointing a chairman of such committee;

(b) in delegating to any such committee powers to frame terms binding on each such body as to the construction and future maintenance of any joint work, and any power which might be exercised by any of such bodies; and

(c) in training and modifying rules for regulating the proceedings of any such committees in respect of the purpose for which the committee is appointed.

(2) When the corporation has requested the concurrence of any other local authority under the provisions of sub-section (1) in respect of any matter and such other local authority has refused to concur, the Government may pass such orders as it deems fit requiring the concurrence of such other local authority in the matter aforesaid and such other local authority shall comply with such orders.

(3) If any difference of opinion arises between the corporation and any other local authority which has joined the corporation under this section, the matter shall be referred to the Government whose decision thereupon shall be final and binding on both the parties.

84. Proceedings of corporation, etc., not vitiated by disqualification, etc., of members thereof.—10 No act done or proceeding taken under this Act shall be questioned merely on the ground,—

(a) of any vacancy or defect in the constitution of the corporation or of any standing committee; or

(b) of any defect or irregularity in such act or proceeding, not affecting the merits of the case.

(2) No disqualification of, or defect in the election or appointment of, any person acting as a councillor, as the mayor or the deputy mayor or the presiding authority of the corporation or as the chairman or a member of any standing committee or **ad-hoc** committee, appointed under this Act shall be deemed to vitiate any act or proceedings of the corporation or of any such standing committee or **ad-hoc**